



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/669,177	09/25/2000	David L. Patton	81531PF-P	3008

7590

08/01/2003

Milton S. Sales  
Patent Legal Staff  
Eastman Kodak Company  
343 State Street  
Rochester, NY 14650-2201

EXAMINER

TABATABAI, ABOLFAZL

ART UNIT

PAPER NUMBER

2625

DATE MAILED: 08/01/2003

8

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/669,177

Applicant(s)

PATTON ET AL.

Examiner

Abolfazi Tabatabai

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 September 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 16-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 16-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 September 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### **Claim Rejections - 35 USC § 102**

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 16-25 and 27-30 are rejected under 35 U.S.C. 102(b) as being anticipated by Kaplan (U S 5,873,605).

Regarding claim 16, Kaplan discloses a personal postal product comprising:

an personal image product having a top surface and a bottom surface (Column 2, lines 13-18 and column 3, lines 18-24) said top surface having personal image having a designated area where an official postal product may be placed, said designated area being modified based on image characteristic of said official postal product or personal image (Column 4, lines 26-44).

Regarding claim 17, Kaplan discloses a personal postal product wherein the image characteristic of the personal image is based on one or more of the following;

the composition color contrast size designated area has border (Column 3, lines 37-65).

Claim 18, is similarly analyzed as claim 17, above.

Art Unit: 2625

Regarding claim 19, Kaplan discloses a personal postal product wherein there is blending of color at the transition between official postal product and personal image (Column 3, lines 37-44).

Regarding claim 20, Kaplan discloses a personal postal product wherein the area where the personal image is smaller than the size of the official postal product (Column 2, lines 13-18).

Regarding claim 21, Kaplan discloses a personal postal product wherein a boarder area is provided in said designed area for providing an area where said official postal product may be placed for minimizing the possibility of have a non-uniform appearance between said official postal product and said personal image (Column 3, lines 37-65).

Regarding claim 22, Kaplan discloses a personal postal product wherein said personal image product comprises a label (See Fig. 1).

Regarding claim 23, Kaplan discloses a personal postal product wherein said official postal product is a stamp (Fig. 1 element 10).

Regarding claim 24, Kaplan discloses a personal postal product wherein said personal image comprises an image that is printed on said personal of image product (Column 5, lines 4-16).

Claims 25 and 29 are similarly analyzed as claim 16, above.

Claim 27, is similarly analyzed as claim 24 above.

Claim 28, is similarly analyzed as claim 17, above.

Claim 30, is similarly analyzed as claim 23 above.

### **Claim Rejections - 35 USC § 103**

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kaplan (U S 873,605) in view of Kara (5,717,597).

Regarding claim 26, Kaplan does not disclose the step of determining said at least one characteristic comprises digitally scanning said personal image.

On the other hand Kara teaches: The step of determining said at least one characteristic comprises digitally scanning said personal image (Column 6, lines 66-67 and column 7, lines 1-7).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Kaplan's invention according to the teachings of Kara system and method for printing personalized postage indicia on greeting card, because use of optical scanner or digital camera which forms an image of object which is then subjected to compression operation and substantially stored and are used to create a digitized documents, characters and a computer which executes algorithms includes preprocessing such as image segmentation. Digital scanner is a high resolution digitizer and is useful for translating between paper documents and electronic information.

### **Other prior art cited**

5. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

U. S. Patent (6,203,067 B1) to Shipston et al is cited for linerless postage stamps with cancellation ink absorbing particle.

U.S. Patent (6,499,654 B1) to Huff et al is cited for postcard for caring compact.

U S. Patent (6,503,329 B2) to Patton et al is cited for modification of receiver surface to reject stamp cancellation information.

U S. Patent (4,201,617) to Orsinger et al is cited for UV label sprayer for segregating.

### **Contact Information**

6. any inquiry concerning this communication or earlier communications from the Examiner should be directed to ABOLFAZL TABATABAI whose telephone number is (703) 306-5917.

The examiner can normally be reached on Monday through Thursday from 9:30 a.m. to 7:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, Bhavesh Mehta M, can be reached at (703) 308-5246.

**Any response to this action should be mailed to:**

Assistant Commissioner for Patents  
Washington, D.C. 20231

**or faxed to:**

(703) 872-9314 (for **formal** communications; please mark  
"EXPEDITED PROCEDURE")

Art Unit: 2625

**Hand delivered responses** should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA. Sixth Floor (Receptionist).


Any inquiry of a general nature or relating to the status of this application should be directed to the Group Receptionist whose telephone number is (703) 305-4750

Abolfazl Tabatabai

Patent Examiner

Group Art Unit 2625

July 23, 2003



Jayanti K. Patel  
Primary Examiner

Application/Control Number: 09/669,177  
Art Unit: 2625

Page 7